

107TH CONGRESS  
1ST SESSION

# H. R. 2967

To provide duty-free treatment for certain foodstuffs originating in NAFTA countries.

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2001

Mrs. THURMAN introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To provide duty-free treatment for certain foodstuffs originating in NAFTA countries.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DUTY-FREE TREATMENT OF CERTAIN FOOD-**  
4       **STUFFS ORIGINATING IN NAFTA COUNTRIES.**

5       (a) AMENDMENTS TO U.S. NOTES.—Subchapter II  
6       of chapter 98 of the Harmonized Tariff Schedule of the  
7       United States is amended by adding after U.S. note 6 the  
8       following new note:

9       “7. Certain food preparations that are the product of Can-  
10       ada or Mexico consisting of, or processed using, a ma-

1       terial exported from the United States.—The fol-  
2       lowing provisions apply only to subheading  
3       9802.00.95:

4       “(a) Entry of any product described by subheading  
5       9802.00.95:

6               “(i) shall not be subject to duty under the pro-  
7               visions of subchapter IV of chapter 99; and

8               “(ii) if a tariff-rate quota provision would have  
9               applied to such product but for subheading  
10              9802.00.95, the quantity of the product  
11              entered under that subheading shall not be  
12              counted against the quantity specified as  
13              the in-quota quantity for any such product.

14       “(b) The term ‘product of Canada or Mexico’ means  
15       a good:

16               “(i) that is determined to be a product of Can-  
17               ada or of Mexico under rules of origin pro-  
18               mulgated by the Secretary of the Treasury  
19               pursuant to Annex 311 of the North  
20               American Free Trade Agreement, as im-  
21               plemented under the North American Free  
22               Trade Agreement Implementation Act; or

23               “(ii) that is processed, packaged, or otherwise  
24               advanced in value or improved in condition  
25               in Canada or Mexico (or both) and that is

1                   determined to be a product of the United  
2                   States under such rules of origin.

3           “(c) The term ‘product of the United States’ means  
4           a good or material that is determined to be a  
5           product of the United States under rules of ori-  
6           gin promulgated by the Secretary of the Treas-  
7           ury pursuant to Annex 311 of the North Amer-  
8           ican Free Trade Agreement, as implemented  
9           under the North American Free Trade Agree-  
10          ment Implementation Act.

11          “(d) The term ‘processed in Canada or Mexico (or  
12          both) using a good or material that was ex-  
13          ported from the United States’ includes, but is  
14          not limited to:

15               “(i) processing in Canada or Mexico using a  
16               good or material that previously was im-  
17               ported into the United States; and

18               “(ii) processing in Canada or Mexico using a  
19               good or material that was processed in a  
20               country or countries other than Canada or  
21               Mexico after exportation from the United  
22               States, if such processing did not effect a  
23               change in the country of origin of the good  
24               as exported from the United States.”.

(b) DUTY-FREE TREATMENT.—Subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

“	9802.00.95	Any good of subheading 2008.11, that is a product of Canada or Mexico and that was processed in Canada or Mexico (or both) using a good or material exported from the United States, if the following conditions are met: (1) the good as imported into the United States is an originating good satisfying the requirements of General Note 12 of the tariff schedule; and (2) any good or material of heading 1202 or 2008 that was used in the processing in Canada or in Mexico (or both) of the good imported into the United States was a product of the United States and was produced from quota peanuts as defined in section 358–1 of the Agriculture Adjustment Act of 1938 that are products of the United States .....	Free (see U.S. note 7 of this subchapter)			”.
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(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

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